

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 1:08-cr-00076
)	
v.)	Honorable Robert Holmes Bell
)	
WILLIAM HENRY ROBINSON,)	
)	
Defendant.)	
)	

REPORT AND RECOMMENDATION

Pursuant to W.D. MICH. L.CR.R. 11.1, I conducted a plea hearing in the captioned case on August 22, 2008, after receiving the written consent of defendant and all counsel. The hearing was continued on September 4, 2008, to allow the undersigned to confirm that neither the innocent possession nor necessary justification defenses applied in this case.

At the hearings, defendant William Henry Robinson entered a plea of guilty to the Indictment charging defendant with being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). There is no written plea agreement. On the basis of the record made at the hearings, I find that defendant is fully capable and competent to enter an informed plea; that the plea is made knowingly and with full understanding of each of the rights waived by defendant; that it is made voluntarily and free from any force, threats, or promises; that the defendant understands the nature of the charge and penalties provided by law; and that the plea has a sufficient basis in fact.

I therefore recommend that defendant's plea of guilty to the Indictment be accepted, and that the court adjudicate defendant guilty. Acceptance of the plea, adjudication of guilt, and imposition of sentence are specifically reserved for the district judge. The clerk is directed to procure a transcript of both the August 22, 2008 and September 4, 2008 hearings for review by the District Judge.

Date: September 15, 2008

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

NOTICE TO PARTIES

You have the right to de novo review of the foregoing findings by the district judge. Any application for review must be in writing, must specify the portions of the findings or proceedings objected to, and must be filed and served no later than ten days after the plea hearing. *See* W.D. MICH. L.CR.R. 11.1(d).